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Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Note verbale dated 19 March 2004 from the Permanent Mission of Sri Lanka to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities and has the honour to transmit herewith the report of the Government of Sri Lanka, pursuant to paragraph 6 of resolution 1455 (2003) (see annex).

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Annex to the note verbale dated 19 March 2004 from the Permanent Mission of Sri Lanka to the United Nations addressed to the Chairman of the Committee

Report of the Government of Sri Lanka pursuant to Resolution 1455 (2003)

[Prepared in keeping with the guidelines provided by the Security Council's 1267 Committee]

I Introduction

[1] There have been no reported incidents related to Usama Bin Laden, Al-Qaida, the Taliban and their associates in Sri Lanka.

In the event they establish contact and link up with the armed groups presently operating in Sri Lanka, their activities can pose threats to Sri Lanka, and to the region, in general.

However, so such trends have been identified as yet.

II Consolidated List

[2] The List, upon receipt, is directed to the relevant domestic local authorities handling the matters pertaining to the Resolution (i.e. the Ministry of Internal Security, Controller/Immigration and Emigration and the Central Bank of Sri Lanka), through the Secretary of the Ministry of Interior.

[3] There have been no reported problems encountered by the Sri Lankan authorities with regard to the names and identifying information as currently included in the List.

[4] No person connected to Taliban or Al-Qaida has been identified in Sri Lanka to date.

[5] There are no new names to be submitted to the committee, as of now.

[6] There have been no reported law suits related to the List.

[7] No listed person has so far been identified to have connections with Sri Lanka.

[8] Answers provided by Sri Lanka with regard to OP/2, sub paragraphs (a) and (g) of the SC Resolution 1373 (2001) and the response to OP/3 sub paragraphs a, b, c, d and e, contain the relevant information (vide Report submitted by Sri Lanka dated 28 September 2001).

III Financial and economic Assets Freeze

[9] As stated in the Report of Sri Lanka on measures taken by Sri Lanka to implement the Resolution 1373 (2001), the United Nations Act provides that if the Security Council of the United Nations, under Article 41 of the Charter of the United Nations, calls upon the government of Sri Lanka to apply any measures necessary to give effect to any decision of that Council, the Minister in Charge of Foreign Affairs may, by regulation, make such provisions as appear to him necessary or expedient to enable those measures to be effectively applied.

Sri Lanka, by Regulation No.1 of 2001, has made provision for giving legal effect in Sri Lanka to the terms of Security Council Resolution 1373 (2001) including forfeiture of funds and assets upon conviction by the High Court.

The Central Bank of Sri Lanka has issued relevant circulars to all commercial banks and specialized banks, authorized money-changers, travel agencies, credit card companies, money transfer agencies and other finance companies, containing instructions for strict compliance accordingly.

There have been no reported impediments in this regard. It may also be noted that legislation to give effect to the International Convention for the Suppression of the Financing for Terrorism, as well as Anti Money-Laundering legislation is being finalized.

[10] Information exchange mechanisms are in place with international entities such as INTERPOL, which are coordinated b the Secretary of the Ministry of Defence, through the Criminal Investigation Department. The Directorate of Foreign Intelligence is also contributing to keep vigil on any international terrorist's activities on Sri Lanka territory.

At the regional level, Sri Lanka has also established the South Asian Association for Regional Co-operation (SAARC) Terrorist Offences Monitoring Desk under the SAARC Convention for the Suppression of Terrorism.

Domestic legislation, particularly the provisions of the Prevention of Terrorism Act, serve as the basis for action against terrorism at national level.

[11] The Central Bank has set up a Special Surveillance Unit to collect information from all financial institutions regarding suspicious transactions and to take immediate steps to implement action mandated by Resolution 1373.

A Financial Transaction Reporting Act, based on the IMF model for use in Commonwealth countries, is currently under preparation. The Act will deal primarily with customer due diligence and the processes for receiving, analyzing and disseminating suspicious transaction reports as well as other related financial information. The provisions of the proposed Act will be in compliance with the relevant standards and requirements contained in the FATF recommendations, the Vienna Convention, the Convention for the Suppression of the Financing of Terrorism and UN SC Resolution 1373.

The Central Bank of Sri Lanka is responsible for overseeing the application of customer due diligence standards by banks and other financial institutions.

Furthermore, at the SAARC FINANCIAL Cell Co-ordinators meeting, views were exchanged on measures taken to combat the financing of terrorist activities. Sri Lankan authorities have appropriate links with their counterparts in the region to facilitate their co-ordinated efforts to combat potential threats.

[12] No records of frozen assets are available as of now.

[13] No information on unfrozen or released funds are available as of now.

[14] Previous Reports submitted by Sri Lanka to the Counter Terrorism Committee contained details with regard to the domestic legal basis to control movement of suspected funds/assets. Operating instructions issued by the Central Bank of Sri Lanka require banks and other financial institutions to report, where they have reasonable grounds to suspect that funds are linked to or are to be used for terrorism. Additionally, the Central Bank of Sri Lanka is in the process of adopting methodology, designed for banks and financial institutions with regard to

customer identification, suspicious transactions reporting, monitoring transactions including large currency cross-border transactions etc.

IV Travel Ban

[15] As in the response of the Government of Sri Lanka to Resolution 1373 – OP/2, sub paragraph (g).

[16] Updated Security Council List is used to keep the immigration and emigration authorities informed on new additions.

No problems have so far been reported in this regard.

[17] Updated lists are circulated to relevant local authorities as and when received.

Sri Lanka possesses facilities to search data using electronic means.

[18] No information on the apprehension or detention of any listed individual transiting Sri Lanka is available.

[19] Most of the Consulates are yet to be installed with electronic databases.

There have been no reports from Sri Lanka Consulates abroad of attempts of the listed individuals' securing visas to enter Sri Lanka.

V Arms Embargo

[20] Sri Lanka urges States to strictly comply with their obligations under paragraph 2 (a) of Resolution 1373 by taking effective measures to eliminate the supply of weapons to terrorists.

[21] The existing laws (Prevention of Terrorism Act and Public Security Ordinance) provide legal cover to prohibit the recruitment of cadres and supply of weapons to terrorist groups. Sri Lanka is not a weapons producing country and there is no evidence to suggest that trade in weapons is carried on its territory.

[22] Possession of firearms is limited in Sri Lanka and the issuance of a licence involves an exhaustive verification process.

[23] Sri Lanka does not manufacture arms & ammunition and has no specific arms export controls.

VI Assistance and conclusion

[24] Sri Lanka has been in the vanguard of the campaign in urging greater attention to be paid to the phenomenon of terrorism. Sri Lanka has been supportive of the negotiation and conclusion of the recent international conventions relating to the suppression of terrorist bombings and suppression of financing of terrorism.

Sri Lanka, as a member of the Bureau of the UN Ad-Hoc Committee on Measures to Eliminate International Terrorism, will continue to support fully all international efforts aimed at combating terrorism.

[25] Sri Lanka is of the view that the present levels of implementation and follow-up action are at a satisfactory level.

However, in view of the need for capacity enhancement on the part of the countries not having sophisticated technology, some proposals have been incorporated to the "Conclusion" part of the Report of Sri Lanka, furnished in fulfillment of the requirements set by Resolution 1373 (vide Report submitted by Sri Lanka dated 28th September 2001).